

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
A National Broadband Plan for Our Future	)	GN Docket No. 09-51
_____	)	

**REPLY COMMENTS OF STEPHOUSE NETWORKS**

Stephouse Networks, by its undersigned counsel, respectfully submits these reply comments in accordance with FCC's Notice of Inquiry,<sup>1</sup> as modified by DA 09-1420. Stephouse Networks appreciates this opportunity to share its comments on the matters the Commission will consider in formulating its recommendations relating to the country's National Broadband Plan.

**I. Introduction.**

A broadband Internet service provider specializing in high-speed wireless and wired Internet solutions, including DSL, Metro Ethernet, Fiber, WiMAX, and Wi-Fi, Stephouse Networks serves the needs of residential, small business, and enterprise customers throughout the United States, providing both metro and rural residential customers with license-exempt wireless broadband service ranging in speeds from 1 Mbps download/256 Kbps upload, to 10 Mbps download/1 Mbps upload.<sup>2</sup>

Operating from its base in Portland, Oregon, since 2002, Stephouse Networks has also made steady progress in delivering wireless broadband services to underserved communities in the Pacific Northwest, including, especially, the outlying rural areas north of the Portland metro

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<sup>1</sup> *A National Broadband Plan for Our Future*, Notice of Inquiry, GN Docket No. 09-51, 24 FCC Rcd 4342 (2009).

<sup>2</sup> To be sure, Stephouse Networks typically provides its non-rural enterprise customers with 100Mbit service, up and down, through both fiber-based Ethernet and wireless microwave Ethernet facilities, as well as has the capability to provide such customers with multi-gigabit service.

area in and around Southwest Washington.<sup>3</sup> Moreover, even prior to the Recovery Act, Stephouse Networks developed a strategic plan that—subject to the availability of funding—would expand its wireless network in up to 26 additional outlying rural communities in Eastern Oregon and Southwest Washington.<sup>4</sup> Stephouse Networks believes that wireless broadband presents the most optimal, cost-effective solution for serving rural areas with difficult terrain and low population densities—as is the case in the rolling foothills and mountainous region of Southwest Washington and that portion of the Columbia River Gorge that traverses North Central and Eastern Oregon.

**II. The National Broadband Plan Should Advance Policies To (i) Maximize the Availability of Licensed and Unlicensed Spectrum, and (ii) Promote the Efficient Deployment of Wireless Broadband Networks.**

With respect to the various and varied elements of the national broadband plan, Stephouse Networks appreciates Motorola's observations about the importance of ensuring adequate availability of licensed and unlicensed spectrum to keep up with the increasing capabilities of wireless broadband technologies.<sup>5</sup> Starting from the premise that in some areas of the country, wireless is the best, and perhaps only, technically and economically feasible broadband solution, the Commission should ensure that wireless broadband equipment providers remain incented to innovate and continue to push the limits of available speeds. Without available spectrum, demand for equipment capable of even higher speeds will wither as service providers will be unable to deploy the latest and greatest technologies. Stephouse Networks

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<sup>3</sup> Apart from serving underserved neighborhoods in the North Portland metro areas of St. John, Linnton, North Marine Drive, and parts of Jantzen Beach, which, incredibly, still have no access to DSL, Stephouse Networks currently provides residential Internet services to the rural Southwest Washington communities of Woodland, Amboy, and Ariel.

<sup>4</sup> These underserved communities range in population from 24 to 2,000 inhabitants—with 13 them having populations of less than 500 inhabitants, and only one of them approaching a population near 5,000 inhabitants.

<sup>5</sup> See *Comments of Motorola, Inc.*, in GN Docket No. 09-51, dated June 8, 2009, at p. 2, and, generally, at pp. 4-10.

encourages the Commission to consider all possible ways of maximizing the amount of spectrum available for wireless broadband.

Specifically, the national broadband plan should include policy support for broadband applications using unlicensed spectrum. While such applications may not currently be considered the “gold standard” of long-term, high-speed broadband network solutions, unlicensed spectrum offers providers a quick and cost-effective method of extending broadband services to unserved and underserved communities, especially where immediate fiber deployment is not feasible under any means.

In addition to allocating additional frequencies for license-exempt use, the Commission should work to remove obstacles to the active use of any spectrum, licensed or unlicensed. Obstacles to active use may take the form of overly expansive protections against interference, or overly relaxed requirements concerning a licensee’s actual use of assigned spectrum. As part of the national broadband plan, Stephouse Networks urges the Commission to work closely with the wireless industry to ensure that its rules keep pace with prevailing technologies and to also consider a process to support expedited consideration of waiver requests where an existing regulation concerning the use or licensing of spectrum directly impedes broadband deployment.

Hand in hand with maximizing the spectrum available for wireless broadband, Stephouse Networks encourages the Commission to address issues key to wireless network deployment in its national broadband plan. Several commentors noted the importance of streamlined tower citing procedures and nondiscriminatory access to utility poles.<sup>6</sup> Stephouse Networks concurs that wireless network deployments would be more efficient and effective with those protections in place.

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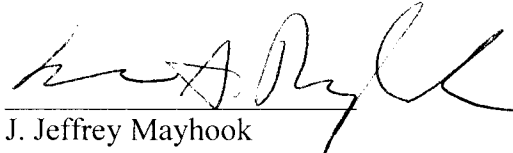
<sup>6</sup> See, for example, *Comments of Wireless Internet Service Providers Association*, *Comments of CTIA – The Wireless Association*, and *Comments of PCIA – The Wireless Infrastructure Association/The DAS Forum*, all in GN Docket No. 09-51, dated June 8, 2009.

### **III. Conclusion.**

With its cost efficiencies and ever-increasing technical capabilities, wireless broadband offers real solutions for the nation's laggard broadband deployment. With respect to the vital role of wireless broadband in the national broadband plan, Stephouse Networks urges the Commission to adopt policies encouraging active use of all spectrum; maximizing availability of unlicensed spectrum; and promoting efficient deployment of wireless broadband networks.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "J. Mayhook", is written over a horizontal line.

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